

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

GREGORY LEE, #184 070

*

Plaintiff,

*

v.

*

2:07-CV-683-ID

NURSE JONES, *et al.*,

*

Defendants.

*

ORDER

The instant complaint was received for filing in this court on July 27, 2007. Although Plaintiff's complaint has been accepted for filing, the court deems it necessary to direct Plaintiff to advise the court as to whether he did, in fact, intend to file this action with this court. Specifically, a review of the complaint reflects that Plaintiff may have meant to file this action in the Circuit Court for Elmore County, Alabama, pursuant to the Alabama Medical Liability Act. (*See* Doc. No. 1 at 1.) Additionally, documentation attached to Plaintiff's request for *in forma pauperis* status shows that Plaintiff received a letter from the Clerk of the Circuit Court for Elmore County concerning payment of the filing fee or submission of a hardship affidavit in relation to a complaint he recently filed with that court.

Accordingly, it is

ORDERED that on or before **August 9, 2007** Plaintiff shall inform the court as to whether he did, in fact, intend to file the above-captioned action in this court or, rather, whether he intended it for filing in state court. Should Plaintiff's response indicate that he did not intend to file the instant complaint with this court, the undersigned shall direct the

Clerk to return Plaintiff's pleadings to him and recommend that this action be dismissed.

Plaintiff is cautioned that his failure to comply with the order of the court will result in a recommendation that this action be dismissed without further notice.

Done, this 31st day of July 2007.

/s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE